

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
v.	)	No. 3:24-CR-58-TAV-JEM
	)	
APRYL HARD,	)	
	)	
Defendant.	)	

**ORDER**

This case is before the Court on the Motion to Review Appointment of Counsel [Doc. 16] filed by Assistant Federal Defender Benjamin G. Sharp on August 16, 2024. *See* 28 U.S.C. § 636(b). The Court appointed Mr. Sharp and the Federal Defender Services of Eastern Tennessee (“FDSET”) to represent Defendant Hard on June 13, 2024, at her initial appearance on an Indictment [Doc. 5]. Mr. Sharp asks the Court to relieve FDSET of its representation of Defendant and to appoint new counsel due to an actual conflict of interest.

A defendant seeking the substitution of court-appointed counsel must show good cause for the substitution, such as an actual conflict of interest, a complete breakdown in communications between attorney and client, or an irreconcilable break in the attorney-client relationship. *United States v. Sullivan*, 431 F.3d 976, 979–80 (6th Cir. 2005) (citing *Wilson v. Mintzes*, 761 F.2d 275, 280 (6th Cir. 1985)). Based upon counsel’s representations in the motion, Mr. Sharp and FDSET are permitted to **WITHDRAW** for good cause shown due to an actual conflict of interest.

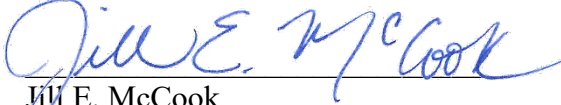
The Court has contacted Attorney Christopher J. Oldham, who agrees to accept representation of Defendant Hard. The Court **SUBSTITUTES** and **APPOINTS** Attorney Oldham under the Criminal Justice Act, 18 U.S.C. § 3006A, as counsel of record for Defendant.

Accordingly, the Court **ORDERS** as follows:

- (1) the Motion to Review Appointment of Counsel [**Doc. 16**] is **GRANTED**;
- (2) Assistant Federal Defender Benjamin G. Sharp and FDSET are **RELIEVED** of their representation of Defendant Sullivan and **DIRECTED** to provide new counsel with the discovery and information from Defendant's file;
- (3) Attorney Christopher J. Oldham is **SUBSTITUTED** as Defendant's counsel of record, and
- (4) the Government is **ORDERED** to provide discovery to new counsel on or before **August 27, 2024**.

**IT IS SO ORDERED.**

ENTER:

  
Jill E. McCook  
United States Magistrate Judge